

CUSTOMER NO.: 24498

Serial No. 09/804,576

Reply to Office Action dated: 7/05/05

Response dated: 09/20/05

**PATENT
PD000007**

REMARKS

In the Office Action, the Examiner noted that claims 1-13 are pending in the application and that claims 1-13 stand rejected. The Applicant has herein cancelled claims 1-13 and has submitted new replacement claims 14-23 in response to the Examiner's formality rejections and not in response to prior art.

In view of the amendments to the Applicant's Specification presented above and the following discussion, the Applicant respectfully submits that none of the claims now presently in the application are anticipated under the provisions of 35 U.S.C. § 102. Furthermore, the Applicant also submits that all of these claims now satisfy the requirements of 35 U.S.C. § 112 and 35 U.S.C. § 101. Thus the Applicant believes that all of these claims and the application are now in allowable form.

Objections

A. MPEP § 608.01(b)

The Examiner objected to the Applicant's Abstract because it contains the term "means".

In response, the Applicant has amended the Abstract to not contain the term "means" or other form and legal phraseology often used in patent claims. Having done so, the Applicant respectfully submits that the basis for the Examiner's objection to the Applicant's Abstract has been removed. As such, the Applicant respectfully requests that the Examiner's objection to the Applicant's Abstract be withdrawn.

Rejections

A. 35 U.S.C. § 112

The Examiner rejected claims 1-13 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. The Examiner alleges that the claims contain subject matter which was not described in the specification in such a way to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. More specifically, the Examiner alleges that claims 1 and 10 call for the reading and processing means

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which reading and processing means are not being described/disclosed in the specification of the Applicant's application.

In response, the Applicant has replaced claims 1-13 with new claims 14-23 which do not recite reading and processing means. The Applicant submits that the wording of the claims is now clearer. The only "means" recited in the Applicant's new claims is a "handling device" which processes the data. Such handling device is disclosed in the description on page 4, lines 3, 18 - 19, 26 and 29, and in lines 1 - 2 of the "detailed description" section. Examples for the claimed handling device are given on page 3, line 1.

The remaining features of the Applicant's new independent claims 14 and 18 are disclosed on at least page 2, 1st paragraph and page 4, 1st/3rd paragraphs.

The features of claims 16, 17, 21 and 22 are disclosed on at least page 5, last paragraph through page 6, 1st paragraph. The features of claim 23 are disclosed on at least page 5, 2nd paragraph.

The Examiner further noted that the Applicant's specification does not make any reference to the drawing figures 1-2.

In response, the Applicant has submitted herein proposed amendments to the Specification making reference to the drawing figures 1-2. The Applicant respectfully submits that no new matter had been added.

Therefore, the Applicant submits that the Applicant's new claims 14-23 and the Applicant's Specification now satisfy the requirements of 35 U.S.C. §112 and are patentable thereunder.

B. 35 U.S.C. § 101

The Examiner rejected claims 1-9 under 35 U.S.C. § 101 because the claims are directed to a recording medium storing nonfunctional descriptive material.

In response the Applicant has replaced claims 1-13 with new claims 14-23. The storage medium of claims 14-23 now includes the function of language related data. Further, the storage medium of the Applicant's new claims 14-23 now claims two physically different areas: ROM and RAM.

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Therefore, the Applicant submits that the Applicant's new claims 14-23 now satisfy the requirements of 35 U.S.C. §101 and are patentable thereunder.

C. 35 U.S.C. § 102

The Examiner rejected claims 1-3 and 913 under 35 U.S.C. § 102(b) as being anticipated by Yukinori (European Patent No. 0508762 A2). The rejection is respectfully traversed.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1983)). (emphasis added). The Applicant respectfully submits that Yukinori fails to teach each and every element of at least the Applicant's new claim 14, which specifically recites:

"Storage medium on which a set of data is stored, whereby a first data section of said set of data is stored in a read-only memory area of said storage medium and a second data section of said set of data is stored in a read/write memory area of said storage medium, and said set of data includes language-independent data and language-dependent data, and whereby at least a part of said set of data can be processed in a handling device either in a first processing form related to a first language, or in at least one other processing form different from said first processing form and related to a second language different from said first language, and wherein language-independent data and language-dependent data which are related to said first language are included in said first data section, and language-dependent data which are related to said second language are included in said second data section, and wherein for said at least one other processing form, data from said second data section as well as data from said first data section are to be used."

That is, the Applicant has herein replaced claims 1-13 with new claims 14-23. The Applicant respectfully submits that the teachings of Yukinori fail to teach, suggest or anticipate each and every element of the Applicant's new claims 14-23. More specifically, EP0508762A2 Yukinori teaches additional data on the storage medium which is used for different logical specifications so that the same data content can run on logically different computer types (See Yukinori, col. 2, lines 48 – 51; col. 3, lines 19 – 23 and 29 – 31).

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In contrast however, in the invention of the Applicant as claimed in at least the Applicant's claims 14-23, different data can be processed on the same handling device. The different data do not relate to logically different computer types but to different languages.

Therefore, the Applicant submits that for at least the reasons recited above independent claim 14 is not anticipated by the teachings of Yukinori and, as such, fully satisfies the requirements of 35 U.S.C. § 102 and is patentable thereunder.

Likewise, independent claim 18 recites similar relevant features as recited in the Applicant's independent claim 14. As such, the Applicant submits that for at least the reasons recited above independent claim 18 is also not anticipated by the teachings of Yukinori and also fully satisfies the requirements of 35 U.S.C. § 102 and is patentable thereunder.

Furthermore, dependent claims 15-17 and 19-23, depend either directly or indirectly from independent claims 14 and 18 respectively, and recite additional features therefor. As such and for at least the reasons set forth herein, the Applicant submits that dependent claims 15-17 and 19-23 are also not anticipated by the teachings of Yukinori. Therefore the Applicant submits that dependent claims 15-17 and 19-23 also fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

The Applicant reserves the right to establish the patentability of each of the claims individually in subsequent prosecution.

Conclusion

Thus the Applicant submits that none of the claims, presently in the application, are anticipated under the provisions of 35 U.S.C. § 102. Furthermore, the Applicant also submits that the Applicant's Specification and all of the claims, presently in the application, now satisfy the requirements of 35 U.S.C. § 112 and 35 U.S.C. § 101. Consequently, the Applicant believes that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, or if the Examiner believes a telephone interview would expedite the prosecution of

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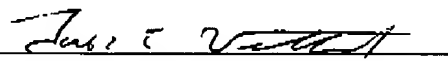
the subject application to completion, it is respectfully requested that the Examiner telephone the undersigned.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account No. 07-0832.

Respectfully submitted,

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